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January 13, 2021

Honorable Denise L. Cote
United States District Judge
United States Courthouse
500 Pearl Street
New York, NY 10007

MEMO ENDORSED

RE: *United States v. Jose Baez, 19 Cr. 463 (DLC)*

Dear Judge Cote:

I represent Jose Baez in the above-captioned matter. I write to request additional time to complete Mr. Baez's sentencing memorandum and adjourn the proceeding for two months. The government has no objection to this request.

Mr. Baez self-surrendered to the DEA on July 14, 2020, pursuant to an unsealed indictment. Mr. Baez was released on a personal recognizance bond to be signed by two financially responsible people. Mr. Baez pleaded guilty to one count of the indictment on October 30, 2020.

Since Mr. Baez's release, he has been fully compliant with the conditions of his bond. He has remained living at his home with his mother in Yonkers and has continued to work as a driver for Uber. Mr. Baez provides financially for his two children, his mother, and also extended family overseas. It has been difficult for him to make ends meet in recent months because COVID-19 has impacted the car service industry. However, Mr. Baez has spent his time on bail working as hard as he can to ensure his family is financially stable.

I have been working to get documents for mitigation purposes for the last few months. Mr. Baez had an extremely difficult childhood and we have been attempting to find records to demonstrate those hardships. During the pandemic it has been difficult to secure community and family support letters. We are optimistic that with an additional two months we will be able to provide information that will aid the Court in determining the appropriate sentence.

It is Mr. Baez's hope that we will be able to have an in-court sentencing proceeding where Mr. Baez's mother is able to attend in person. Mr. Baez's mother has medical issues that make her vulnerable should she contract COVID-19. Mr. Baez is hopeful that during that time, his mother will be vaccinated and thereby will feel comfortable attending and in-person hearing.

We are hopeful that given a two-month adjournment we will be able locate the documents and letters we need and be able to have a safe in-person sentencing that members of Mr. Baez's immediate family will feel comfortable attending. The government has no objection to this request. Sentencing is currently scheduled for February 5, 2021. I ask that the Court adjourn the sentencing until sometime in April 2021.

I thank the Court for its attention to this matter. I am mindful of the importance of finality and closure in this case, but believe a two-month adjournment is necessary given the totality of the circumstances. This is the first such request for an adjournment of sentencing.

Respectfully submitted,

/s/

Grainne E. O'Neill

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